

City of La Verkin

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La Verkin City Council Meeting Minutes

Wednesday, December 17, 2014 6:00 p.m.

Council Chambers, 111 S. Main, LaVerkin, Utah

Present: Mayor Pro Tem Brandon Stephenson; Council-Members: Richard Hirschi, Ken Hooten, Randy Reeve, and Chantelle Browning; Staff: Kyle Gubler, Derek Imlay, Troylinn Benson, Kevin Bennett, Chief Ben Lee, and Christy Ballard; Public: John Valenti,

Mayor Kerry Gubler has been excused.

- A. Called to Order** – Invocation and the Pledge of Allegiance was given by Derek Imlay at 6:00 pm
- B. Consent Agenda:** (Items on the consent agenda may not require discussion. These items will be a single motion unless removed at the request of the Mayor or City Council.)
1. Declarations of conflict of interest
 2. Agenda
 3. Minutes: December 3, 2014 regular meeting minutes
 4. Review Invoices and Checks: \$20,096.79

Motion was made by Councilman Ken Hooten to approve the consent agenda as written including the December 3, 2014 regular meeting minutes and the checks and invoices in the amount of \$20,096.79 second by Councilman Richard Hirschi. Roll Call Vote: Reeve-yes, Hooten-yes Hirschi-yes, Browning-yes. Motion carried unanimously.

C. Committee Reports:

1. Planning Commission-Councilman Hirschi reported there was a special meeting for the subdivision lot split located at approximately 150 East 500 North last night. There were some comments made by concerned property owners that ended up being a good discussion and approval was granted for the subdivision lot split.
2. Water Board-The next meeting is in February.
3. Fire District-Chief Kuhlmann reported the budget for next year was approved which included a couple pieces of equipment that is needed as well as some other infrastructure improvements. He is still working with Kyle on the La Verkin fire house project. It is estimated to be about a \$360,000 improvement project and should take about 18 months.
The Fire District continues to be busy. They have already passed last year's year-end total.

Councilman Hirschi asked what improvements the District were planning on making to the La Verkin fire house.

Chief replied they want to add a bay going to the west to house an apparatus capable of handling The three story hotel. They would also like to enclose the bay to the east for more office and Living space, which he feels will probably be needed within the next 3-5 years.

4. Sewer Board-Councilman Hirschi reported their 2015 budget was approved.
5. Community Garden- Councilman Hirschi reported he is still trying to find someone to be in charge of the garden for next year.

D. Citizen Comment & Request for Future Agenda Items:

No comments were made.

E. Public Hearing:

1. Proposed La Verkin City Water Conservation Plan, updated December 2014.

The public hearing opened at 6:08pm.

Kyle explained Sunrise Engineering updated our Water Management and Conservation Plan so the City would be in good standing with the State of Utah.

Derek reported this plan incorporates what is currently in our books and plans out any future water needs, concerns, and rates. It also incorporates the irrigation water into the Plan. This was required by the State.

Councilman Hooten asked Kevin what the proper procedure for a public hearing was.

Kevin explained different bodies have different rules for how a public hearing is handled. All that matters is that the Councilmembers realize a public hearing is for them to listen to the public and a public meeting is a Council meeting that the public is welcome to attend. The Councilmembers can defer to the public if they would like to hear them speak but a public meeting is a meeting for the Council. However, they are often within the same meeting.

The Council may act on an item just discussed during a public hearing in the business section of the public meeting. La Verkin will list business items as "possible action" so if something is brought up during the meeting the business item can be moved to another meeting.

This particular item needs to be passed within a five year period from when the last plan was adopted to avoid any issues with seeking additional water loans or grants from the State or jeopardize our ongoing loans/grants we are currently paying.

Derek explained the State will list you as a non-compliant city and it will be reported to the news.

Councilman Hirschi asked if a citizen speaks to the Council during a public hearing when does the Council reply to them.

Kevin replied that it can be done in one of three ways, one; the Council can say they only want to take input because they may want to think about what has been presented before they respond, two; the Council can answer on the spot, or three; the Council can address any issues brought up by the citizens during the business portion of the issue.

That is why a staff member gives a brief summary before the public hearing is opened so the public is aware of what they will be commenting on.

No other comments were made.

The public hearing was closed at 6:16pm.

F. Business:

1. Discussion and possible action to give approval on the preliminary and final plats for a proposed one-lot subdivision at approximately 150 East 500 North (part of LV-159-C-1-A), consisting of approximately 3.18 acres.

Derek explained where the property is located and said there is no plan for any building on this property. There will be a 44 foot shared access off of SR9 for this property and the property directly to

the west of it. The State will require curb, gutter and sidewalk from where it ends at Main to the far east property line and a right turn lane will be added.

On the Main Street side from the wall separating the Zion View Estates subdivision and this property is a 75 foot access easement that includes all of the utilities. That will most likely be a city street giving access to the property east of "The Hotel Site".

All of the criteria have been met by the property owner.

There was a discussion on the size of the access UDOT gave to the properties. It was brought up this will probably be the last access granted along that side of SR9, the other property will be accessed off Main Street and the easement Derek mentioned.

Motion was made by Councilman Ken Hooten to approve the preliminary and final plats for a one lot subdivision at approximately 150 East 500 North part of LV-159-C-1-A consisting of approximately 3.18 acres, second by Councilman Randy Reeve. Roll Call Vote: Reeve-yes, Hooten-yes, Hirschi-yes, Browning-yes. Motion carried unanimously.

2. Discussion and possible action to approve Resolution No. R-2014-11; A resolution encouraging and supporting adequate and comprehensive transportation funding.

Kevin said had he known this would be required he would have waited and put the agreement from the last meeting at the same time of this resolution since they go hand in hand with each other.

This resolution is saying we support the League of Cities and Towns and the Utah Transportation Coalition in their effort to comprehensively look at the different taxes that could help with funding for roads. The League of Cities and Towns would like to take all of the resolutions they get signed to the legislature to show the cities that are behind them in asking the legislature to step up to the plate and address the transportation issues state wide and the funding thereof.

Councilman Reeve said it is asking for support in increasing the fuel tax.

Kevin replied that is part of what they are looking at. They are also looking at changing the way our end of the State figures the tax, going to a percentage instead of a set amount per gallon. Right now the League just wants to get the item to the table.

Councilman Hooten asked who Cameron Diehl is.

Kevin replied he is a legislative analyst for the League of Cities and Towns. He works for the League and gives updates every Friday on what is happening with the Legislature.

Councilman Hooten said he finds it insulting being an employee of the United States Postal Service for many years and being retired that Mr. Diehl makes a reference to "snail mail" in his email sent to Kevin. Being a government employee himself to make a reference like that is insulting. The United States Postal Service is a very old and respected organization and is instrumental in the success or failure of this country. For him to make such a reference is insulting to Mr. Hooten personally.

Motion was made by Councilman Hirschi to approve Resolution No. R-2014-11, A resolution encouraging and supporting adequate and comprehensive transportation funding, second by Councilwoman Chantelle Browning. Roll Call Vote: Reeve-No, Hooten-No, Hirschi-yes, Browning-yes, Stephenson-yes. Motion passes.

3. Discussion and possible action to approve Resolution No. R-2014-12; A resolution adopting the La Verkin City Water Management and Conservation Plan (2014 Update)

Kyle reported this is the item from the public hearing.

Kevin said that one of the things this resolution does is to capture what the Councilmembers and their predecessors have done over the past 6-8 years to conserve our water resources. La Verkin has been very proactive and making progress all along up to this point.

Motion was made by Councilman Ken Hooten to approve Resolution No. R-2014-12, A resolution adopting the La Verkin City Water Management Conservation Plan 2014 update, second by Councilman Randy Reeve. Roll Call Vote: Browning-yes, Hirschi-yes, Hooten-yes, Reeve-yes. Motion carried unanimously.

G. Staff, Mayor & Council Reports:

City Administrator- Kyle Gubler

Kyle emailed his report to the Councilmembers.

Winterfest turned out very well thanks to the many committee members.

Kyle thanked Derek's crew, along with the inmates, and all of the work they put into getting set up and also the several volunteer groups that were able to help.

The Beautification Committee will be judging the Christmas lights this week.

The Christmas Eve program will be 6pm December 24th in the council chambers.

The Stage Coach Grill is still moving forward, they are trying to secure funding. The owner was also wondering if anyone had any barn wood for sale.

The RAP Tax money should be at the cities in July if everything involved goes smoothly. La Verkin will be very cautious on the amount they project for next year's budget until more history is available on this tax.

The Mayor received a letter from the new superintendent of Zion National Park inquiring his thoughts on raising the rates for the Park. The Mayor responded by thanking the Park and let them know how important the Park is for our economy but that he was opposed to the rate being raised.

Councilman Hooten mentioned Confluence Park may have some wood for the Stage Coach Grill.

Public Safety- Chief Ben Lee

The annual Shop with a Cop was this past weekend and turned out very well. About 10 children were from La Verkin.

Officer Crouse was issued a Lifesaving Award from the County last week and KSL did a story on her.

The police department has helmets available at a discounted price of \$5 for any interested citizens.

The facebook page has been redone to be more user friendly and have more information available.

Boyd Van Dam has been given the assignment of Ordinance Enforcement which is a new position.

Animal Control statistics for the last quarter is 27 impounds, 6 from the County and about the same in adoptions and owner surrenders. We have collected more in impound fees.

This past quarter we have also dealt with finding homes for chickens and a wallaby.

The police department has received 1600 calls for service so far this year, 223 of those has been in the past six weeks. There have been around 50 citations issued. They are very busy doing a lot of reactive business and are not able to do much proactive stuff with the resources they have available.

Chief also proposed, in accordance with Mayor Gubler's agenda of becoming healthier, a biggest loser type fitness challenge for the employees.

There have been quite a few vehicle burglaries lately, citizens need to remember to secure their vehicles and remove all valuables.

Councilman Hooten mentioned during his cross walk duty, he has noticed the semi-trucks are moving very fast and there have been several incidents where they have run the red light because they are unable to stop. Something needs to be done about this.

Chief replied he does try to patrol that intersection or have the other officers patrol it. It is not considered a school zone and the speed limit is 40 miles an hour.

Kyle said placing any signs on SR 17 would require permission from UDOT.

Councilman Hooten would like to attend the next transportation meeting in the St. George area.

Councilman Reeve asked if having the police at the intersection with their lights flashing would help.

Councilman Hooten mentioned it used to be the common practice and he remembered it being helpful.

Councilwoman Browning asked if the dates have been set for the vaccination clinic.

Chief replied they have not been set but he will take care of that and get the information on the animal control facebook and the city website.

Director of Operations-Derek Imlay

They are trying to take care of some drainage concerns. He will have a list of those once it has been completed.

Councilwoman Browning asked about the water break by Three Points Center.

Derek replied it's actually not a break but a drain line that split. The State is not willing to participate in fixing it. The road will need to be torn up and a new pipe put in. He is not sure of the cost at this point. It is also causing a problem for Ash Creek Sewer District.

Derek will be contacting Richfield and see if they would be willing to work with the City when they start their road project on SR17. Interstate Rock has received the contract for that job.

The 2015 Road Maintenance Project should be coming before the Council in January. He has a tight budget but is hoping with gas prices being so low they can extend the project. They are planning on getting Riverwood Phase one and two, part of North View Commercial and part of Spanish Gardens.

The inmate program has been working very well for Derek's crew. They have them 90% of the time. Normally there are 2 inmates each day but for the week of Winterfest Chief Lee was able to get 3.

Kyle was also able to get the National Guard to help get ready for Winterfest.

Treasurer-Troylinn Benson

Shut offs should have been done yesterday but the Mayor did not have them done for the holiday season. There would have been 25.

There was a software glitch in the billing. The entire electronic read meters showed the amount of water used but did not bill for it. The billing software company is unsure of what happened so when the next billing is uploaded onto Troylinn's computer, they will be online with her to see what went wrong.

Browning-Nothing to report.

Hirschi- Nothing to report.

Hooten-Thanked John Valenti and the Winterfest Committee for an outstanding job. Everyone he has talked to was pleased with the celebration.

Reeve-Basketball is over and had great participation. Soccer will be the next sport with sign-ups starting in January.

Solid Waste had a meeting and they will be moving and improving the Kolob dump sight. It will look similar to the Pine Valley sight.

H. Adjourn:

**Motion was made by Councilman Ken Hooten to adjourn, second by Councilman Richard Hirschi.
Motion carried unanimously at 6:57pm.**

Minutes were taken on behalf of the City Recorder by Christy Ballard.

January 7, 2015
Date Approved

ATTEST:

Kyle Gubler
Kyle Gubler
City Recorder

Kerry T. Gubler
Mayor Kerry T. Gubler